

THE business man I who will spare a few minutes of his time to the photographer of today will please his entire family.

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### **BEGINS DISTRIBUTION**

Distribution of the new loan fund

to an improvement until the commisdiate use of the money.

they are importuning the executive to grant them as much of the loanfund as possible. A place will be found for every dollar of the new fund by the time all the cash is on hand.

### FLAG-RAISING PROGRAM

Elks Hall at noon today, the program | Comes Before Perry. for the flag-raising at Liliuokalani than. It is as follows:

2. Introductory remarks . . . . . President H. C. Davis of Walalae, Palolo and Kiamuki improvement Club. to the Supreme Court, as follows: 

.... Geo. W. De Long Post, G. A. R. Song-"Red, Whtte and Blue"... ..... School

Oration

g. Finale-"Star Spangled Banner" .....Led by band Since last previous meeting the committee was regretfully informed by Judge R. P. Quarles that he would be

on business. Admiral Cowles was unable to com- li Brown? ply with the request for the services the kindness of Acting Bandmaster Na- | one for life only?

Major Timberlake kindly granted Irene li Brown? the hoisting of the national banner, tingent and in what person? Major Timberlake's young son will as- 8. What legal and equitable estates

will be performed. Miss Needham, principal of the school, will cooperate with the club in of May 1897, ruled that the first quescarrying out the program. The flag tion should be answered in the affirmsolute and drill will be performed by ative; that as to the second question. they had an estate therein. pupils trained in those respects. Pos. the trust became extinct upon the marsibly a well-known soloist will lead in riage and majority of the devisee their bill by adding thereto averments the song exercises of the school.

colors on the day of the event.

who ever aspired to a seat on the Calthe California bar.

the treasury of the general conference as the first case. of Seventh Day Baptist during the Bill in Equity Filed. past eight months.

#### POLITICAL NEWS AND NOTES

Park tomorrow night, which will con- ham, M. C. Pacheco, J. J. Fern. stitute the opening gun, of the cam-

W. Asch, J. M. Poepoe, S. S. Pax-that is all there is to it."

At a meeting of precinct club pres (son, Kaniho, A. J. Wirtz, W. P. Jar

Quintette Club, but the band will not publican club of the ninth precinct of tion. be present owing to the fact that its the Fifth District last night, as the 1: is admitted by all parties that members are on their annual vaca morning paper says," Edward Moreno, Irene has had only three childrena member of the executive commit- George, Francis and Lernice Ii, and The meeting is called for the pur- tee of the club, stated this forenoon, that the latter died in infancy. By pose of introducing the Democratic,"It is true that a petition was signed the Hawaiian law of descent of propcandidates to the electorate and those by sixty members for the removal of erry, Irene and C. A. Brown, the in the race will at this time announce Solomon Mahelona from the secretary- parents of Bernice Ii, are her heirs. their positions on questions of inter- ship, but the club has held no meet- A decree will be entered requiring est to the public. The list of speak-ing to consider that matter. The ex- the said fund of ten thousand dol ers follows in the order named: C. ecutive committee has gone on record lars be paid to a qualified trustee J. McCarthy, Jack Kalakiela, E. H. to ignore Mahelona and all his move satisfactory to this court, who shall F. Wolter, T. J. Ryan, C. H. Rose, J. ments in the present campaign, and be required to invest such found and

assignee of her life interest."

word Irene, Irene li Brown or Irene of said will, are "the absolute owners sel will be heard on this point if they 5 and 65 shares at 31. Hilo Railroad li Holloway, as the case may be; in fee" of the same, subject only to so desire. the word George, George Ii Brown; their said mother's life estate; and the word George, George Hyde li further alleged the divorce of the the word Francis, Francis Hyde li further alleged the divorce of the C. A. Erown, and the word Children, the Brown, and the execution of a deed of Brown, and the execution of a deed of Surviving children of C. A. Brown Surviving children of C. A. Brown Surviving by them of the "said prop-George and Francis.

Story of Case. with the said C. A. Brown, and the Brown, and a third to the plaintiffs, OF NEW LOAN FUND birth of her three children, two of which corporation was duly organized has begun, several allotments already last will of John Ii, deceased, the those to be issued to said C. A. Brown and languishes at the central station having been made by Governor Frear father of the said Irene; and one of was caused by him to be issued in the with a charge of passing a worthless to the various commissions and oth- her guardians, after being discharged name of J. A. Magoon, one of the deers being prepared to hand over to as such guardian, brought a bill in fendants hereto; and contended that the commissions for proposed im- equity before a circuit judge of the the defendants held such shares sub-ments for tenders have been made next friend of the said Irene and her the same shall be assigned to the ing alleged that he visited the place Annie Gribble and hab to Warren The allotments to the various pro- nexed and guardian, was joined there- to wit:

jects arranged by the Governor some in as an additional party plaintiff. 1. No decree was made in any of it was not backed up by sufficient time ago were only tentatives, and the Such amended bill alleged, among oth- such proceedings. commissions that expect to get the er things, an omission in the copy of | 2. In all such proceedings, the chil- The police allege that McDougall money for them must "get busy" im- the will furnished by the court to the dren and Irene were represented by may have other and more serious Cecil Brown tr to Bank of Honolumediately, for it is to be a case of said A. F. Judd, whereby the said ex- the same counsel, although their inter- charges to answer to before the law "first come first served," within cer- ecutors and guardians not being fully ests were conflicting. tain limitations of course. The Gov. advised of the true nature and intent 3. No court which was organized that were not in shape to make use coming acquainted with the complete reserved questions of law. of the funds, with the result that a will, believed that they were thereby 4. The jurisdiction of the said Susion in charge is ready to make imme. and that under and by said will pro- the said property. Applications for allotments are com- said Irene and also for the support of pending in the first case before Judge ing in rapidly from the various com- said Irene, and it was important to ob- Cooper were required by law to be missions, and in almost every instance tain a construction of such provisions decided by him and by no other court to the said estate, and to the income other court or judge. thereof, and the duties of the said trustees to the several beneficiaries

aforesaid under said will, and prayed among other things, "that the terms AT LILIUOKALANI SCHOOL and provisions of said will and the dusaid A. F. Judd and S. B. Dole as afore At a meeting of the committee at said be defined and determined." After proceedings before Judge

school, Kaimuki, on Friday next at 1.45 Cooper, a circuit judge of such cirp. m., was arranged as far as could be cuit, who resigned his office before of the justices thereof being disqualireaching a decision, the matter came 1 Overture ...... Hawaiian Band up before Judge Perry of the same circuit, who, on the 16th day of April. 1906, reserved certain questions of law questions.

1. Was a trust created in the propher tather, John Ii?

2. If such a trust was created, is 6 Flag salute and drill ...... School married, attained majority, and had issue of said marriage, which issue still survive?

3. If such a trust still exists, is the interest of Irene Ii Brown under the same absolute or for life only? 4. If such a trust stil lexists, is unable to deliver the oration as prom- it such a trust that the court will upon ised, having been called away to Maui the proper motion order an immediate

conveyance of the property to Irene 5. Has Irene li Brown a fee simple of the Marine Corps band, but through title in said property, or is her estate

one and Mayor Fern the Hawaiian 6. Was an estate in perpetuity band, although on its month's vaca- creat by said will, and if so was its tion, has been promised for the event. effect to vest the estate absolutely in

the request of the committee for the 7. If there are any remainders in services of two buglers to officiate at said property, are they vested or con-

sist in the ceremony by handing the have the several parties\_plaintiff and flag to the G. A. R. officer of the day, defendants under the wil o' John Ii The Grand Army ritual for flag-raising and the circumstances shown by the pleadings and evidence The Supreme Court, on the 4th day

Irene, and that as to the fifth question of intention on the part of the grant- against Mahelona last night. The committee wishes the residents the devisee Irene had an estate in fee ors of the said deed or conveyance to of the district to display the national simple in the property devised to her convey to trustees for the organizaed by the court that it was unneces- the lands devised by the will to the until after the election is over. Lucy Goode White, the only woman sary to decide the other questions, in plaintiffs, and that the ownership in Hakalau Leads the List. view of the rulings already made. No fee simple in such lands was claimed

On the 27th of January, 1903, a bill said lands, and that by reason of the 2900, Honuapo 3900 sacks.

in equity to declare and execute a lifetime, and at her death to pay one Court by the said A. F. Judd, as next increment to George or his represenfriend of George and Francis, minors, tatives, and one-sixth to the represen- OAHU SELLS HEAVILY against C. A. Brown, John A. Magoon tatives of the said Irene and one-sixth and Irene; which will, after narrating to the said C. A. Brown, or his rethe history of the proceedings relat- presentatives, with the contingent lendants, by A. G. M. Robertson, ing to the estate of the said John II, provision that if any other children his guardian ad litem, "a one-third deceased, alleged that the said will should hereafter be born to the said share or interest in said fund, sub- directed that if the said Irene should Irene, such distribution to be made ject to the life interest therein of die, having borne children, the said according to the interest of all her he said Irene li Holloway, or the property should descend to her chil- children and their representatives, said John li Estate Limited, as the dren, but that she should be the first under the rule set forth in the foreheir, meaning and intending thereby going decision. The suggestion is of-For convenience, wherever used in that during her life she should have fered that the estate, etherwise the in the total, two of them 200 each and this decision, the word Estate shall the use and benefit of the said prop- John II Estate, Limited, be named in one 100, and the price for all was 26.26. mean John II Estate Limited; the erty, and that her children, by virtue the decree as such trustee; and coun-

erty" in trust for the organization of a corporation to hold the same and It appears that on April 7, 1894; to deliver one-third of the shares to after the marriage of the said Irene the said Irene, one-third to the said whom are now surviving in the per- under the name of The John Ii Estate sons of George and Francis, A. F. Limited, and delivery of shares made Judd. one of the executors of the accordingly, except that one share of

house at Hana, Maui, the contract for for, with the same parties as plaintiffs the reserved questions upon which the job having been let to Otto Oss and defendants, except that Sanford B. the Supreme Court had ruled as set change was given McDougall, but a Dole, administrator with the will and forth above, for the following reasons, day later it was discovered that the

ernor does not care to repeat the ex- of the said will, procured their dis- as required by the Constitution of the nected on the mainland. He has been perience of a year ago, when allot charge as guardians of the said Irene Hepublic of Hawaii had obtained ap a resident of Honolulu but a few ments were made for certain projects upon her marriage; but that, upon be- pellate jurisdiction of any of the said months and is said to have traveled

large sum of money still remains in constituted not only executors of the preme Court concerning the constructhe Territorial treasury unused. Here- will and guardians of the said Irene, tion of the said will, if it ever existafter the money will not be allotted but also trustees with the right to the ed, ended upon its determination that control of her estate during her life; no trust was in existence concerning

vision was made for the children of 6. All matters of law arising and and the relative rights under said will or judge, and the same, nothing havof such minor children and the said ing been decided by him, were not Irene and the said C. A. Brown in and lawfully presented or decided by any

6. There was no statutory or other authority to reserve questions of law in the first case for the opinion of the Supreme Court and such reserved and provisions of said will and the du- questions of law did not lawfully come before such court, and so it had no jurisdiction thereof. Judge Whiting's Authority.

7. Judge Whiting of the Supreme Court had no constitutional authority to reorganize the Supreme Court, two fied, by installing two members of the bar of the Supreme Court to sit in their places for the decision of such

8. After argument upon such reserved questions before such court, erty devised to Irene Ii by the will of upon the withdrawal of one of such substituted justices, before an opinion was reached by such court, a new the trust still is force, Irene having court to hear argument and decide such questions could not be lawfully organized.

The bill prayed, among other things, for an order restraining the defend. come thereof to those entitled thereto two weeks time. and at her death to assign all of the said shares to the plaintiffs; and for general relief.

The bill was demurred to on general and special grounds, one of the latter being to the effect that "It does not appear that any of the property or estate of the plaintiffs was conveyed to said corporation either by them (Irene and C. A. Brown) or by any person purporting to act in their

The court sustained the demurrers! on the ground that the deed of conveyance referred to, which was made a part of the bill, did not convey or pumport to convey the estate of the ship. plaintiffs in the "said property"-the estate of John Ii. deceased-supposing

The plaintiffs thereupon amended

said decision of the Supreme Court, they have been deprived of trustees as provided by the said will for the protection of their interests as remaindermen, and that unless the invalidity idents at Democratic headquarters tett, Lester Petrie, W. H. McClellan of said proceedings and decision, and last night arrangements were made C. P. laukea, Joseph Lightfoot, B. N. also the plaintiffs' titles therein claimfor the big mass meeting at Aala Kahalepuna, J. L. Coke, John Mark-led, be declared by the court, a cloud will rest upon their title, and their rights as such remaindermen may be paign. There will be music by a "There was no meeting of the Re- subject to costly and difficult legisla-

pay the income thereof, subject to proper charges, to Irene during her trust was filed in the same Circuit third of the principal and accrued

Wallace McDougall, well known about town, was placed under arrest check against his name.

Chief of Detectives McDuffle was called upon by the management of a T Tanouye et als to Bishop & Co. . CM 

piece of paper was worthless in that funds at the bank in question.

has taken its course.

McDougall is said to be well cona pretty fast pace.

[Special Star-Bulletin Correspondence] WAILUKU, Oct. 7 .- Great interest was taken last week Saturday in the bids for the Maui belt road extension, the work of the Keokea Reservoir and the Hana School house. These new improvements are of decided importance to the whole of Maui. The fact, too, that several firms outside of Maul offered bids on the work created some excitement. Only \$77,000 is available according to the appropriation, for the Belt Road Extension and the lowest bid was \$84,000, that of J. Wilson.

The other bids were as follows: Hugh Howell, \$117,625; Lord Young being preserved as souvenirs which Engineering Company \$90,000.

For the Keoka Reservoir, A. A. Wilson, \$14,472; Hugh Howell, \$13.752 and Gomes \$11.427.

For the Hana School house the bids were as follows: A. A. Wilson, \$6,850; Freitas and Fernandez, \$6,665; A. Young, \$6,689; Otto Oass, \$5,416.

The Mani Telephone Company is making decided changes in their headquarters at Wailuku. The old house will be enlarged and thoroughly repaired. The improvement will make ants from disposing of the shares held possible the use of the front portion by them as aforesaid, and that they of the house for the residence of the be decreed to assign the shares held manager of the Wailuku division, Alby them in a trustee in trust during fred G. Martinsen. He and his bride the life of said Irene, to pay the in- expect to be able to move in within

#### DIAS POURS OIL ON RUFFLED PRECINCT WATER Scotch girl wishes situation as chil-

J. P. Dias. Portuguese interpreter in Judge Monsarrat's court, acted a good Samaritan last night in his precinct of the fighting ninth, Fifth Dis- Y. Kobayashi, general contractor, 2034 trict, when he poured oil on the troubled waters among the members who have been thinking of demanding the immediate resignation of Solomon Mahelona from the secretary-

Those who have been preparing pe titions for Mahelona's withdrawal from the secretaryship, told the Star today that it was through Dias' action that they withdrew their kicks

willing to await further action against 1912, for Constructing a Fence Line by her father's will. It was consider- tion of a corporation the fee simple of Mahelona, at least for the present at Moilili School, Honolulu, T. H.

Sugar awaiting shipment on Ha-fice of the Superintendent of Public ifornia superior court bench, failed to further proceedings appear to have and exercised by the said corporation waii includes the following consign- Works, Capitol Building, Honolulu. pass her examination for entrance to been taken. The case was not re- by virtue thereof; that the defendants ments according to a report brought! The Superintendent of Public manded to the Circuit Court and no claimed that the said proceedings and to this city today with the arrival of Works reserves the right to reject Nearly one-third of a million dollars decree was entered in either court. decision of the supreme court were Purser Philipps in the Mauna Kea: any or all tenders. for foreign missions was received into This case will be hereafter referred to conclusive upon the plaintiffs and Olaa 6500. Onomea 3365. Hakalau forever barred them from setting up 9574, Laupahoehoe 620. Hamakua any title under the said will to the Mill none, Paauhau 7000, Panaluu



ALL DRUGGISTS.

ive and antiseptic. Of your druggist or from us, 10c in stamps.

Vapo-Cresolene Co.

62 Cortlandt St., N. T.

#### AT 3-4 ADVANCE

Abundant proof of the strengthening of Oahu, mentioned in this paper on Saturday last, is given in today's stock list. No less than 795 shares of Oahu sold between boards at an advance of three-quarters of a point over last previous sale. Ten lots figured Pioneer fell off one-half point for 30, common was unchanged at 8.75 for 205 shares in recess and 5 and 40 shares on the board. Brewery held 22 for 18, 25 and 15 shares. One other transaction reported was \$3000 Hilo

Railroad Extension sixes at 97. Honokaa declined two and a quarter points in session sales of 50 and 10 shares at 8. Quomea dropped half point in a sale of 10 shares at 57.75. Pineapple is without change at 44 for shares.

REAL ESTATE TRANSACTIONS. Entered of Record Oct. 7, 1912, from

10:30 a. m. to 4:30 p. m. R Kajita to Bishop & Co ........CM I Kudo to Bishop & Co ............CM

Walter E Wall and wf to Bank of 

Chas Mahoe and wf to Emma A Cecil Brown tr to Bank of Honolulu, Ltd ..... AM

Palolo Land & Imprymt Co. Ltd. et als adv Territory of Hawaii. . Jdgmt Victoria N Meyer to Kalihi Taro & James Grube and wf to Annie G

8:30 a. m. to 10:30 a. m. Annie K Koomoa and hsb to Keualani (k) ...... D Keualani Simona to K Yokovama ... M

Joe de C Pimental to Sinichilo Fu-Emily K Kaohi to T Takata ......L Young Men's Savs Socy Ltd to L Frank Sakamaki to Toichiro Hirata et als ......AL Frank Sakamaki to Toichiro Hira-

ta et als .......BS Brewer & Co Ltd to Paukaa Ag-Brewer & Co Ltd to Moaula Ar-

C Brewer & Co Ltd to Kuhua Ag-Pioneer Mill Co Ltd to Mutual Telephone Co Ltd .......D Henry Smith tr to Kaiohelo Kawai. kau ......Rel

There are millions of dollars of currency outstanding, lost, destroyed or the federal government never will be called upon to redeem.

Edwin L. King, secretary of the Pratt & Cady company of Hartford, was appointed permanent receiver for the company by Judge Holcomb.

### WANTS

he Honolulu Gas Co., Ltd., has an opening for two bright young men about eighteen years of age as meter readers. Good hand-writing essential. Apply Alakea and Beretania. 5361-3t

SITUATION WANTED. dren's nurse. Bulletin office.

5361-4t CONTRACTOR AND BUILDER.

S. King: Phone 3365. k-5361-1y

#### BY AUTHORITY

SEALED TENDERS.

Sealed Tenders will be received by the Superintendent of Public Works According to the boys, they are up to 12 m. of Friday, October 18,

Plans, specifications and blank forms of tender are on file in the of-

MARSTON CAMPBELL. Superintendent of Public Works, Honolulu, October 8, 1912. 5361-10t.

CLOTHES

The Grace and Good Form o "BENJAMIN CLOTHES" will impress you at a glance, but it takes wear to demonstrate their real worth.

"BENJAMIN CLOTHES" owe their surpassing and exquisite finish to the fact that they are made by the highest talented designers and tailors, and in their own properly equipped work

## LLARION

Now Being Turned Out From Our Workroom?

OUR STYLES are certainly designed to please the most fastidious. And I can truly say they are by far the best looking hats I have yet seen in Honolulu. The artistic trimming and the finish and work is certainly a credit to any Millinery Department."

So said one of our Leading Ladies who called at our show room a few days ago in response to our invitation.

And we could quote similar expressions from many other ladies to whom we have had the pleasure of showing the New Fall Hats.

Could we ask less than the mere opportunity of showing you these beautiful creations of the milliner's art?

If we don't get your order now we feel sure that we will get it when you are ready for the new hat.

Kindly allow us to show you our elegant styles in mil-

# JORDAN'S

Phone 2295 Reaches Hustace-Peck Co..Ltd. ALL KINDS OF BOCK AND SAND FOR CONCRETE WORK. PIREWOOD AND COAL.

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